

# CONVERSATION A: MEETING WITH BRIAN AND RICO

Please [click here](#) to hear the audio file of this meeting or refer to the attached file **Conversation A - Meeting with Brian and Rico.mp3**

This document is a transcript of the conversation had between myself Joseph, Tayo, Rico Ibanez and Brian Davidson that took place at approx. 5:00pm on Friday the 28th of September 2018.

I presented Brian and Rico a copy of a **12-page complaint** which explained our **rights as employees** under the **Employment Standards Act** and the **Ontario Human Rights Code** to work in an environment which is free from harassment, also outlining their responsibilities as managers and the penalties for neglecting the Act/Code. It also included requests for improved working conditions.

A copy of this letter can be found [here](#).

I have transcribed it to the best of my ability. On occasion, I have left out “**umms**” and “**yeah’s**” and replaced mumbled or unrecognizable speech with a “?” symbol.

In the document below, the bolded numbering indicates the time **[MM:SS]** in the audio recording that is being transcribed.

### The members of this conversation

**Rico** = Rico Ibanez (Manager)

**Jeff** = [REDACTED] (Myself)

**Tayo** = Tayo (Employee)

**Joe** = [REDACTED] (Ex-Employee)

**Brian** = Brian (Bryan) Davidson (Owner)

**[AS THE CONVERSATION BEGINS, MYSELF, JOSEPH, BRIAN, RICO, KYLE AND TAYO ARE IN THE OFFICE.]**

**[00:18] Brian:** Ok guys, I've been doing this a long time so, urgh, before I even ask you anything, urgh, you have a micro world right now to my world,

**[00:28] Jeff:** Yeah

**[00:30] Brian:** So, ill tell you where my world is right now.

**[00:31] Jeff:** Yeah

**[00:36] Jeff:** Joe (I was asking handing Joe paper or something. I can't remember)

**[00:39] Brian:** If you just want to sit back a little bit (I was sitting at the table and he wanted me to sit back further from it. As to why, I am unsure.)

**[00:43] Brian:** Yeah, I, I will guess that you have some, I don't really want any responses boys, I just wanna say something. I will take it that you have some problem of some sort and I take it, urgh, you have built it up into needing to create some kind of paperwork????????

**[01:03] Brian:** Ok so, this is where I am. I had a meeting downstairs (the meeting was upstairs) trying to decide whether to continue this business or not. Urgh, and on that level I'm talking about whether I am going to

shut down two locations and how fast I am going to shut down those two locations and whether????????????????????

**[01:25] Brian:** This is what you call a small business, its one that is not McDonalds. McDonalds has a problem with an employee and they say "??? you got to listen" because they have so many employees waiting on them.

**[01:38] Brian:** Urgh, I gotta deal with people who don't follow procedures, that don't listen, that the training here doesn't happen. I've had to decide this early this week to go into full restructure as soon as possible. Basically, I also have another financial issue that's going on, in regards to a landlord who wants way more money than, whose expected anyway ?????????????? so...Argghhh yeah.

**[02:11] Brian:** I've had 20 adult store locations, I've had over 500 employees, people stay for a day, people stay for a week, people stay for a month. Ummm I'm not being disrespectful to you by urghh

**[02:21] Jeff:** Mhm

**[02:22] Brian:** ???? by the way I'm just trying to

**[02:23] Jeff:** Yeah, no worries

**[02:24] Brian:** take a ??? gathering my thoughts.????????

**[02:25] Jeff:** Yeah ?????

**[02:28] Brian:** ???? you just can't wait to get into your notes.

**[02:31] Jeff:** Yeah, sorry

**[02:31] Brian:** I'm just gonna, ???? you back a little. So arghh there's a good chance that I might just be heading back to one location, cutting back over half the staff, letting the netcafe go and buying the vape store, buy the urghh 538 is the only location possible. 540 and 542 are gone in 2 seconds. We already had a conversation with the landlord the other day, he owns both of those locations, ?????? its just too financially taxing. So urghh, I know that the people here aren't perfect and they've allowed us to get to the point where we were able to at least get

somewhere. Ummm at the same time, a lot of people don't like an environment like this, its hard to get people. I don't judge people or throw every problem out but now. Ill give you that, its not the best day. Just just I get it. Just just hear me out here. So now I'm going to say something else. The conversation I had with you guys on the patio was the following: and I, I really hope everything falls in this. Because I said these very specific thin...this is rules that I live by.

**[03:47] Brian:** Ok, I'll tell you what, Ill give you one example before I st???, what, what I told you. A customer kicks in a door. No. A customer freaks after an employee goes upstairs and knocks on the door and tells the customer. Get out, your times up, get out of here, what's wrong with you. When the procedure is to knock on the door and say "Excuse me sir, could you please come down stairs, etc.". Then the customer smashes the door, because he doesn't like what he hears and goes off and whatever. Then the employee is stunned as to why I offer that customer free time, an apology and everything else, even though he had broken the door and whatever because I felt that if one person had just done the right thing in the first place, it wouldn't have caused...but I'm a reasonable minded guy. So, when I talked to you guys on the patio, I asked you, if you had any problems with Stuart in the future, whatsoever, I'm telling you even if he looked at you sideways. Bring it to me. Every single day, every single issue, so that I can have a meeting every single day with Stuart to tell him "This is Monday, and I have already have a complaint about you" or I just that I saw it on security. This is Tuesday, I've had another issue, and this Wednesday Stuart, so that Stuart can be...learn to be respectful and normal and live in the uni..uni..on the planet earth like the rest of us. Which is fair to him, and is fair to everyone else.

**[05:16] Brian:** I hope you haven't accumulated a whole bunch of problems with him and and just given up on him without, without having the opportunity to help me to help try to fix the problem for someone who has worked here for a long time. 05:28 – 05:40 [BRIAN HAS A BREAK IN THE MEETING TO DISCUSS AND ISSUE WITH STAFF].

**[05:42] Brian:** ?????????? You want a meeting, I will listen to you, just do me a favour, just take it slow with me today

**[05:49] Jeff:** Aight?????

**[05:50] Brian:** ???????

**[IT WAS AROUND THIS TIME THAT I HANDED THEM THE 12 PAGE COMPLAINT REGARDING STUARTS AND OUR RIGHTS AS EMPLOYEES UNDER THE EMPLOYEE STANDARDS ACT. THEY WOULD NOT LOOK, READ OR TOUCH THE PAPER. THEY REFUSED AND MADE NO ATTEMPT TO READ IT DURING THE ENTIRE CONVERSATION. IT CAN'T BE HEARD, BUT SEVERAL TIMES THROUGH THE CONVERSATION I AM TRYING TO SHOW THEM THE PAPER AND THEY WILL NOT LOOK AT IT OR TOUCH IT.]**

**[05:55] Jeff:** ???? Ok, so I have no problems with you guys, this company, all of this has nothing to do with you, no-one here, not the company, I'm not filing any complaints against anything in this company. This is just about Stuart. ?????????????????????? Basically.

**[06:11] Brian:** I, I don't, I don't, I

**[06:14] Jeff:** I'm just going to explain. So basically, I am not going to accept any more bullying from Stuart. I am not going to work with Stuart. I am not going to have any other altercation with Stuart. To me, Stuart has had enough time, enough warnings. Everything in here is examples of bullying under the Employment Standards Act ok, I have listed everything that Stuart has done, not just to me, but to every other staff. Examples that people are willing to write and put into action ok, because its unacceptable. As staff, we shouldn't have to come to work and feel bullied. I shouldn't have to come to work every morning and feel hostile or that I am going to be attacked by Stuart. Joseph shouldn't have to feel the same thing. Tayo shouldn't have to feel the same thing. Everybody is

dealing with this and it is completely unacceptable. Like I don't want to start a big problem but it's too far.

**[06:58] Rico:** Ok so what are we doing here

**[06:59] Brian:** Alright I know you are trying ?????? emotions. ??????? bent it a little bit. Let's get more into specifics.

**[07:11] Jeff:** Ok, so that's why??????

**[07:14] Rico:** ????? So, I don't have a, we don't have any issues with you having problems with people ok ????? you having meeting with people. Right, its better that you deal with each issue specifically (Brian cuts off Rico)

**[07:35] Brian:** Right, I have a better way to say this. In our office, when we have any meetings, even if we just have a disagreement right now, you know, just how people have a fight in the store, they will come up here

**[07:45] Jeff:** And there is an argument

**[07:46] Brian:** and I try to set them down and ?????? have you ever been to a court room?

**[07:50] Jeff:** Yes, I have, many times.

**[07:52] Brian:** I've been to many courtrooms

**[07:52] Jeff:** That's fine

**[07:53] Brian:** I've been to many jails, unfortunately for you. urghh, 7 months it was, urgh whatever, urghh 20 other? In court, everybody is relaxed. Everybody is explaining things to the judge because its not the moment that it happened. Whatever moment you had with Stuart, there gone. They're in your head, you're upset. But, you, you w, it wont matter if you, if you get, get, get really upset and start hammering and you know I'm fed up with him and that kind of stuff. Cause we need to talk out logically right now what the situation ?????? lets just talk about what this guys problem is.

**[08:29] Jeff:** Ok

**[08:30] Brian:** From your vantage point

**[08:31] Jeff:** Yep, I understand

**[08:31] Brian:** Logically

**[08:32] Jeff:** But, at this point of ??????? we don't want to talk about it. Stuart is a problem. You know he is a problem. You know the way he is acting is disrespectful.

**[08:39] Brian:** OK, so wait a minute.

**[08:40] Jeff:** I'm not getting angry or trying to be rude (?)

**[08:42] Brian:** What you are doing is trying to hijack this conversation

**[08:44] Jeff:** No what I am just trying to say is

**[08:45] Brian:** Timeout. I'm, I'm. No.

**[08:47] Jeff:** Yeah, I'm calming down. Sorry.

**[08:48] Brian:** We don't allow what you are doing, you just, I just asked you to do something and you go. Nope, I don't want to talk about Stuart anymore blah blah blah

**[08:56] Jeff:** Because

**[08:56] Brian:** Can we get it shut down in the office Tayo, take a hike, shut it down in the office for 10 minutes

**[09:01] Tayo:** Right

**[TAYO LEAVES THE OFFICE AND AT SOME POINT, SO HAS KYLE]**

**[09:02] Brian:** I'm gonna explain one more time. You can't walk in here and dictate anything to me and I don't go to your home and dictate anything to you.

**[09:11] Jeff:** I understand

**[09:12] Brian:** Alright, everywhere has rules.

**[09:14] Jeff:** Yep

**[09:14] Brian:** So, let me try and explain this again. This is a conversation, not a dictation.

**[09:19] Jeff:** Yep

**[09:20] Brian:** Ok, so when you start saying things like "you know he is a problem". Well, you don't know what Rico knows and you don't know what I know and you don't know anything. When you have a conversation like this you have to present to people what the specific issues are. But you said you don't want to do that, you don't want to talk about it. You've written a letter, and for me to address what your concerns are with Stuart. Just because you've given up and you don't want to deal with it and whatever. Then you can't expect me just to sit here and take your generality and say "I hate him, he's stupid, fuck him, he shouldn't be here, he's ??? standards, everybody hates him, you should get rid of him" ah its, would, would, I, have you been watching the Judge Kavanaugh stuff on the Supreme court. They just take the chicks testimony, they may as well just throw the guy, on the streets ?????????? but they have to look at the facts. So that's what normal conversation is, its just lay out what your issues are.

**[10:08] Jeff:** I understand, that's why I put everything in writing.

**[10:11] Brian:** So, that's, ok, so, I don't understand what you mean by that's why I just put everything in here, I don't care if you word it on your hand, can you not present it to us.

**[10:20] Jeff:** Ahh, I just wrote it because its easier, I know, I can't speak properly as well so ????????

**[10:23] Brian:** I know, but we, well give ya, we've were patient

**[10:26] Rico:** Just paraphrase. Its better for you to say one at a ???????

**[10:28] Jeff:** So, the paraphrase is that.

**[10:30] Brian:** One at a time, one point.



**[10:31] Jeff:** Ok one point nah nah???

**[10:31] Brian:** Lets play the game, give me one-point buddy, one thing that happened recently, remember when I told you that time ago, remember when I told you bring me every issue at a time. You know how easy it is to deal with one issue at a time.

**[10:43] Jeff:** I understand

**[10:44] Brian:** And then say, I can deal with this, I can solve it and it will never happen again. But you've now accumulated a bunch of stuff and you're generalizing and I don't work in generalizations. I work in specifics.

**[10:55] Jeff:** Specifics, I understand

**[10:56] Brian:** I do, so what's the specific

**[10:57] Jeff:** Alright, so the thing that really annoyed me was that I was sick for 7-9 days, like brutally sick.

**[11:02] Brian:** Like recently?

**[11:03] Jeff:** For the past 9 days I have been at work.

**[11:05] Brian:** You still look a little sick

**[11:05] Jeff:** Ok, I'm still a little sick I am stressed. I've been vomiting, diarrhea, everything.

**[11:08] Brian:** Ok, we believe you're sick

**[11:09] Jeff:** Yep, Stuarts been going around telling everybody, harassing Joe, going on that I'm sick, I'm faking being sick, I'm faking being sick.

**[11:14] Brian:** Timeout, Timeout.

**[11:16] Jeff:** Yeah

**[11:18] Brian:** That's one point. That's one point. See how ??? dry, I get everything.

**[11:21] Jeff:** Yep

**[11:22] Brian:** Yes, he's doing that is a problem. and of course, our rules are if anybody issues that at any, and that drives your crazy. I can side

where you are coming from. He comes tell you. You got "what the fuck is wrong with this guy, he's an asshole" you hate him and it builds up your hate and the whole shebang. But the item itself, is isolated to the fact that he is saying something that is inappropriate, as we all do at life in times.

**[11:47] Jeff:** Yeah ok.

**[11:48] Brian:** And that's why we call an issues meeting, and we say "you said some thing inappropriate, why are you saying this?", \$50 fine, don't ever do it again, off the table

**[11:58] Rico:** Apologise.

**[11:59] Brian:** And and nah wait a minute, see, are you, are you to sick to like, handle this.

**[12:06] Jeff:** Like I'm just trying to be completely honest with you???? I don't feel like you're listening to me. That's, that's my problem. Because I I feel like I'm telling you something, and I feel like you're just sorta pushing it to the side, and you're not really listening to what I'm saying.

**[12:16] Brian:** Ok, right, we can't agree with it? Fine, I tried to be fair.

**[12:18] Rico:** Ok, you can't go

**[12:19] Jeff:** ????????? That's why I'm getting agitated

**[12:20] Rico:** Listen, listen, listen to me for a sec.

**[12:21] Brian:** Sorry, now I'm mad at you for ???????? did I say or what exactly did I do in this conversation that did not address the way it should

**[12:32] Jeff:** Well, from my end, I feel like I have tried to show you every example, everything I'm saying is written here.

**[12:36] Brian:** Timeout, timeout. I will allow you to answer me once. And not repeat yourself. At some point there has to be protocol in practice.

**[12:45] Jeff:** Ok, can I say one last thing. Can I say one big thing without????

**[AT THIS POINT I WAS GOING TO WALK OUT BECAUSE I FELT THE CONVERSATION WAS POINTLESS AND I WAS JUST BEING MANIPULATED]**

**[12:48] Brian:** It may be your last thing because the way you're going, you're getting ready to get up and walk anyway. So, you may as well just get up and walk.

**[12:55] Jeff:** ?????? OK I'm not trying to cause any trouble. I don't dislike the company, I like this company, I like you guys, I

**[12:59] Brian:** This isn't helping our conversation

**[13:01] Jeff:** Ok, so just let me.

**[13:04] Brian:** You already put me in a bad mood.

**[13:04] Jeff:** I don't need this job, that's a reality, I'm just gonna go home and file these complaints.????? Ontario labour act, human rights?????

**[13:10] Brian:** ????? all of our procedures??? I'm not gonna let you talk over me in this conversation ????? basically you are not an adult.

**[AT THIS POINT I WALK OUT OF THE ROOM AS BRIAN AND RICO SORT OF STAND UP AND BEGIN TO STANCH US. DURING THE RUSTLE, BRIAN SCREAMS THAT I AM IMMATURE AS I WALK OUT THE DOOR AND I SAY SOMETHING ALONG THE LINES OF "THANK YOU FOR YOUR TIME". AS ME AND JOSEPH EXIT THE NETCAFE, BRIAN RUNS DOWN THE STAIRS AND FRANTICALLY APOLOGIZES, THANKS US, AND WALKS AWAY]**